

REMARKS

Entry of this amendment, and reconsideration of this application, as amended, is respectfully requested.

Drawings with proposed changes indicated in red ink are submitted herewith. Corresponding changes have been made to the specification to show that the external electrodes, now designated item 100, are formed by items 3, 4 and 8.

The Examiner rejected claims 27-52 under 35 U.S.C. §103(a) as allegedly obvious over Bindig. It is believed that the rejection is based on the combination of Bindig and Takeuchi, and Applicants respectfully traverse.

Mechanical tensions in the connecting area of the external electrodes to the internal electrodes need to be prevented in order to prevent cracking in the actor as much as possible or at least to control it so that no destruction of the actor will occur. Therefore, based on the entirely different statement of purpose of Takeuchi, it is not clear why one skilled in the art would look to and apply Takeuchi to Bindig to arrive at the presently claimed invention. There is no teaching in the cited references that there is a need to prevent the deterioration of a frequency characteristic in Bindig's actuator.

Furthermore, Takeuchi's actor is constructed in a basically different manner from the actor of the presently claimed invention and the actor which is disclosed in the application of Bindig. It appears that the Examiner concludes, on the basis of similarly appearing features, that their function is the same. In any event, it is not apparent either from the drawings of Takeuchi or from the abstract that the terminals shown therein that serve for current distribution connect together internal electrodes of the actor and thus serve the same function as in the invention just

because their arrangement of the textured basic metallization of the external electrode appears similar to the presently claimed invention.

For the foregoing reasons, it is respectfully submitted that one would not combine the Takeuchi actor with that Bindig. The invention of Bindig and that of the presently claimed inventions are indeed based on the same problem, but each solves the problem in an entirely different fashion. In Bindig, an elastic external electrode is not flatly joined to the basic metallization. In the present invention the basic metallization is interrupted by texturing.

In addition, the method for the manufacture of the external electrodes according to the claimed invention is not disclosed in either reference; in cannot be determined from Takeuchi's abstract how the plurality of the square or circular contact points is produced.

Because neither the external electrode of the invention nor the method of its manufacture are to be taught or suggested by the cited references, it is submitted that the rejection should be withdrawn.

In the Office Action, the Examiner acknowledged that the fissures in the base metallization is the "main difference" between the present invention and the prior art, but the limitation was not included in the claim. Claim 39 was amended accordingly, although it is respectfully submitted that this is not the only difference between the claimed invention and the prior art; the amendment to claim 39 is not to be construed as agreement with the Examiner's rejection of that claim as previously presented.

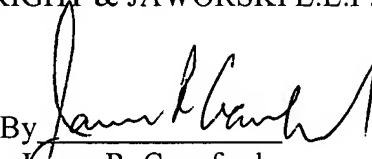
In view of the foregoing, allowance is respectfully requested.

Applicants respectfully reserve the right to prosecute any and all presently unclaimed subject matter in related continuing applications.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-CERA-234-US. A duplicate copy of this paper is enclosed.

Respectfully submitted

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